

CROCKETT & ASSOCIATES

Robert D. Crockett (*pro hac vice*)
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(323) 487-1101

Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman

TOMPKINS, McGUIRE, WACHENFELD & BARRY LLP

Brian M. English
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Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NXIVM CORPORATION,
(formerly known as EXECUTIVE
SUCCESS PROGRAMS, INC.) and
FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE
SUTTON, THE ROSS INSTITUTE,
RICK ROSS (a/k/a “RICKY”
ROSS), STEPHANIE FRANCO,
PAUL MARTIN, Ph.D., AND
WELLSPRING RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

Civil Action No.: 06-cv-1051
(KSH/CLW)

**NOTICE OF MOTION TO
WITHDRAW AS COUNSEL**

-against-

KEITH RANIERE, NANCY
SALZMAN, KRISTIN KEEFFE,
INTERFOR, INC., JUVAL AVIV,
JANE DOE, AND JOHN DOES 1-
10,

Counterclaim-
Defendants.

INTERFOR, INC. and JUVAL
AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH
RANIERE, NANCY SALZMAN
and KRISTIN KEEFFE,

Crossclaim-Defendants.

TO:

Nancy Salzman
c/o
Robert Soloway, Esq.
Rothman Schneider Soloway & Stern
P.C.
100 Lafayette Street, Suite 501
New York, NY 10013

Anthony J. Sylvester, Esq.
SHERMAN WELLS SYLVESTER &
STAMELMAN LLP
210 Park Avenue, 2nd Floor
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*Attorneys for Defendants the Estate of
Morris Sutton, Rochelle Sutton, and
Stephanie Franco*

Robert J. Lack
FRIEDMAN KAPLAN SEILER &
ADELMAN LLP
One Gateway Center, 25th Floor
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*Attorneys for Cross-Claimants Interfor,
Inc. and Juval Aviv*

NXIVM Corp.
5 Southside Drive, Unit 11
Clifton Park, NY 12065

Matthew J. Fedor, Esq.
DRINKER BIDDLE & REATH LLP
500 Campus Drive
Florham Park, NJ 07932-1047

*Attorneys for Cross-Defendant Keith
Raniere*

PLEASE TAKE NOTICE that on October 7, 2019, at 9:00 a.m., or as soon
thereafter as counsel may be heard, the undersigned attorneys for Plaintiffs/
Counterclaim Defendants NXIVM Corporation, f/k/a Executive Success Programs,

Inc., and First Principles, Inc. (collectively “NXIVM”) and Cross-Claim Defendant Nancy Salzman shall move before the Honorable Katherine S. Hayden, U.S.D.J., seeking an Order permitting Crockett & Associates to withdraw as counsel for NXIVM and Ms. Salzman. This motion is based on lack of direction on how to proceed from either NXIVM or Ms. Salzman.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Crockett & Associates will rely on the Declarations of Robert D. Crockett and Chase T. Tajima submitted herewith. A proposed form of Order is also enclosed.

No oral argument is requested by Crockett & Associates. If oral argument is requested by any other party, Crockett & Associates requests permission to appear via telephone.

September 12, 2019

Respectfully submitted,



Robert D. Crockett

/s/ Brian M. English

Brian M. English

CROCKETT & ASSOCIATES

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NXIVM CORPORATION,
(formerly known as EXECUTIVE
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Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE
SUTTON, THE ROSS INSTITUTE,
RICK ROSS (a/k/a “RICKY”
ROSS), STEPHANIE FRANCO,
PAUL MARTIN, Ph.D., AND
WELLSPRING RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

Civil Action No.: 06-cv-1051
(KSH/CLW)

**DECLARATION OF ROBERT
D. CROCKETT IN SUPPORT
OF MOTION TO WITHDRAW
AS COUNSEL**

-against-

KEITH RANIERE, NANCY
SALZMAN, KRISTIN KEEFFE,
INTERFOR, INC., JUVAL AVIV,
JANE DOE, AND JOHN DOES 1-
10,

Counterclaim-
Defendants.

INTERFOR, INC. and JUVAL
AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH
RANIERE, NANCY SALZMAN
and KRISTIN KEEFFE,

Crossclaim-Defendants.

I, Robert D. Crockett, declare as follows:

1. I am the owner and principal of the law firm Crockett & Associates (“Crockett Firm”), attorneys in this matter for Plaintiffs NXIVM Corporation and First Principles, Inc. and Cross-claim Defendant Nancy Salzman, President of NXIVM. I have personal knowledge of all matters referenced herein. I submit this declaration in support of Crockett & Associates’ motion seeking to withdraw as counsel for NXIVM, First Principles, Inc., and Ms. Salzman.

2. Between the time of the Interfor bench trial against NXIVM on June

19-20, 2017 and the present, the Crockett Firm never received notice of discharge by NXIVM, First Principles, Inc., or Ms. Salzman, and thus had no reason to move to withdraw previously.

3. On August 26, 2019, this Court issued an order instructing Interfor counsel to make an additional submission to the Court with regard to attorneys' fees incurred at trial and prejudgment interest, with the Interfor submission due September 24, 2019, and any response by NXIVM due October 15, 2019. (Dkt. No. 842.)

4. I instructed Chase Tajima, an associate at my firm, to attempt to contact NXIVM representatives and Ms. Salzman for instructions, guidance, or direction on how to proceed in responding to the Court's August 26, 2019 order. The Crockett Firm has received no instructions from any representative of NXIVM or Ms. Salzman indicating how we should proceed. The Crockett Firm does not expect to receive any instructions or direction because, as noted by this Court, "NXIVM is no longer in operation." Crockett & Associates therefore makes this Motion to Withdraw based on lack of direction or guidance from its clients.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in Valencia, California on September 12, 2019.



Robert D. Crockett

CROCKETT & ASSOCIATES

Robert D. Crockett (*pro hac vice*)
23929 Valencia Boulevard, No. 303
Valencia, California 91355
(323) 487-1101

Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman

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Attorneys for Plaintiffs/Counterclaim Defendants NXIVM Corporation and First Principles, Inc.; and Cross-claim Defendant Nancy Salzman

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NXIVM CORPORATION,
(formerly known as EXECUTIVE
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FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE
SUTTON, THE ROSS INSTITUTE,
RICK ROSS (a/k/a "RICKY"
ROSS), STEPHANIE FRANCO,
PAUL MARTIN, Ph.D., AND
WELLSPRING RETREAT, INC.,

Defendants.

RICK ROSS,

Counterclaim-Plaintiff,

Civil Action No.: 06-cv-1051
(KSH/CLW)

**DECLARATION OF CHASE T.
TAJIMA IN SUPPORT OF
MOTION TO WITHDRAW AS
COUNSEL**

-against-

KEITH RANIERE, NANCY
SALZMAN, KRISTIN KEEFFE,
INTERFOR, INC., JUVAL AVIV,
JANE DOE, AND JOHN DOES 1-
10,

Counterclaim-
Defendants.

INTERFOR, INC. and JUVAL
AVIV,

Crossclaimants,

v.

NXIVM CORPORATION, KEITH
RANIERE, NANCY SALZMAN
and KRISTIN KEEFFE,

Crossclaim-Defendants.

I, Chase T. Tajima, declare as follows:

1. I am an associate of the law firm Crockett & Associates (“Crockett Firm”), attorneys in this matter for Plaintiffs NXIVM Corporation and First Principles, Inc. and Cross-claim Defendant Nancy Salzman, President of NXIVM. I have personal knowledge of all matters referenced herein. I submit this declaration in support of Crockett & Associates’ motion seeking to withdraw as counsel for NXIVM, First Principles, Inc., and Ms. Salzman.

2. On August 26, 2019, this Court issued an order instructing Interfor

counsel to make an additional submission to the Court with regard to attorneys' fees incurred at trial and prejudgment interest, with the Interfor submission due September 24, 2019, and any response by NXIVM due October 15, 2019. (Dkt. No. 842.)

3. On August 26 and 30, 2019, I attempted to contact the Crockett Firm's long-time contacts at NXIVM and First Principles, Inc., as well as Ms. Salzman, asking for guidance, direction, and instructions on how to respond to this Court's August 26, 2019 Order. On August 30, 2019, one NXIVM contact informed me that she was no longer involved with NXIVM nor any of the decision making and would not be providing any guidance, direction, or instructions on how to respond to the Order. I have never heard back from Ms. Salzman.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed in Valencia, California on September 12, 2019.



Chase T. Tajima

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CIVIL ACTION NO. 06-01051 (KSH/CLW)

NXIVM CORPORATION, (formerly known as
EXECUTIVE SUCCESS PROGRAMS, INC.)
and FIRST PRINCIPLES, INC.,

Plaintiffs,

v.

MORRIS SUTTON, ROCHELLE SUTTON,
THE ROSS INSTITUTE, RICK ROSS (a/k/a
“RICKY” ROSS), STEPHANIE FRANCO,
PAUL MARTIN, Ph.D., AND WELLSPRING
RETREAT, INC.,

Defendants.

RICK ROSS,
Counterclaim-Plaintiff,

-against-

KEITH RANIERE, NANCY SALZMAN,
KRISTIN KEEFFE, INTERFOR, INC.,
JUVAL AVIV, JANE DOE, AND JOHN
DOES 1-10,

Counterclaim-Defendants.

INTERFOR, INC. and JUVAL AVIV,
Crossclaimants,

v.

NXIVM CORPORATION, KEITH RANIERE,
NANCY SALZMAN and KRISTIN KEEFFE,
Crossclaim Defendants.

**ORDER GRANTING MOTION
TO WITHDRAW AS COUNSEL**

THIS MATTER having been opened by way of motion to the Court by
Crockett & Associates, attorneys *pro hac vice* for Plaintiffs/Counterclaim
Defendants NXIVM Corporation, f/k/a Executive Success Programs, Inc., and First
Principles, Inc. (collectively “NXIVM”), and Cross-Claim Defendant Nancy
Salzman, seeking an order permitting Crockett & Associates to withdraw as
counsel for NXIVM and Ms. Salzman; and the Court having considered the
supporting papers, and any opposition thereto, and for good cause shown;

IT IS on this _____ day of _____, 2019;

ORDERED that Crockett & Associates’ motion to withdraw as counsel for
NXIVM Corporation, First Principles, Inc., and Nancy Salzman is hereby
GRANTED.

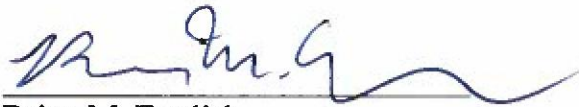
Hon. Katharine S. Hayden, U.S.D.J.

CERTIFICATE OF SERVICE

I certify that on September 13, 2019, I filed the following documents with the Clerk of the United States District Court for the District of New Jersey:

- (1) Notice of Motion Seeking Order Permitting Crockett & Associates to Withdraw as Counsel for NXIVM Corporation, First Principles, Inc., and Nancy Salzman;
- (2) Declaration of Robert D. Crockett in Support of Motion;
- (3) Declaration of Chase T. Tajima in Support of Motion; and
- (4) a proposed form of Order.

I also certify that on September 13, 2019, I served copies of the above-referenced motion papers on: (1) all counsel of record by CM/ECF; (2) current counsel for Nancy Salzman by Email; and (3) NXIVM Corporation and First Principles by Regular Mail.



Brian M. English
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